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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,353	12/27/2000	Jainendra Kumar	CISCO-3479	8818
28661 7590 03/19/2007 SIERRA PATENT GROUP, LTD. 1657 Hwy 395, Suite 202 Minden, NV 89423			EXAMINER LIPMAN, JACOB	
			ART UNIT	PAPER NUMBER
			2134	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.		Applicant(s)	
	09/751,353		KUMAR, JAINENDRA	
	Examiner		Art Unit	
	Jacob Lipman		2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 29-50, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Le et al., US Patent number 5,883,956.

With regard to claims 29, 39, 43, and 47, Le discloses a cryptographic feature enablement system (column 10 lines 25-29), including a processing unit (column 10 line 29) a cryptographic chip (SPU, abstract) including circuitry configured to perform encryption and decryption for a plurality of cryptographic systems (column 7 lines 51-56), where each system provides a different level of security (column 8 lines 17-22), a non-volatile read/write memory storing an encrypted token (column 6 lines 51-53) including encrypted initialization data (column 5 lines 33-52) for enabling circuitry configured to perform one of the cryptographic systems in the cryptographic chip (column 4 line 65-column 5 line 4), a bus connecting the processing unit to the non-volatile memory and the cryptographic chip (column 6 lines 54-55) to transmit data between the processing unit, the non-volatile memory and the cryptographic chip, (Figure 1), and token authentication circuitry in the non-volatile memory to authenticate the encrypted initialization data in the encrypted token (column 5 lines 39-52) wherein the initialization data enables the circuitry in the cryptographic chip to perform

encryption and decryption of data for one of the plurality of cryptographic systems (column 7 lines 51-56). Since Le teaches that the chip can possibly call each system (column 8 lines 17-22), he discloses that it can call the system with the highest level of security. Le does not disclose the initialization information should be decrypted, since it is not completely encrypted. Le does disclose that encrypting initialization information increases security (column 7 lines 5-15) and discloses the token should be secure for authentication reasons (column 5 lines 12-20). It would be obvious to one of ordinary skill in the art to encrypt the token to make it more secure while still proving authentication.

With regard to claims 31, 42, 46, and 50, Le discloses that the system-specific information can be the MAC address (column 6 lines 1-4).

With regard to claims 32, 41, 45, and 49, Le discloses hashing the public key with the device ID (column 11 lines 59-64), thus creating a private key. Le also discloses the possibility of using public/private keys (column 14 lines 7-43).

With regard to claims 33-38, Le discloses that the system has a default security level, and is being reconfigured (column 4 line 65-column 5 line 4).

With regard to claims 30, 40, 44, and 48, Le discloses a non-volatile memory, as outlined above, but does not specify a FLASH memory. The examiner takes official notice that flash memory is a commonly used type of non-volatile memory. It would have been obvious for one of ordinary skill in the art to use Le's cryptographic control in a system using FLASH memory to allow for dynamic capability control.

Response to Arguments

3. Applicant's arguments filed 3 January 2007 have been fully considered but they are not persuasive.

Applicant argues that Le teaches using software to decrypt the encryption data while claim 29 specifies circuitry performing the decryption. The examiner points out that software requires circuitry to perform any action, and thus circuitry is inherent in all software applications.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Lipman whose telephone number is 571-272-3837. The examiner can normally be reached on M-Th 7 AM-3 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jacques Louis-Jacques can be reached on 571-272-6962. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JL JL


KAMBIZ ZAND
PRIMARY EXAMINER